

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DOROTHY HOULIHAN

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*

Plaintiff

v.

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Civil Action No.:05-194-JJF

SUSSEX COUNTY VOCATIONAL-
TECHNICAL SCHOOL DISTRICT

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DEMAND FOR JURY TRIAL

SUSSEX COUNTY VOCATIONAL-
TECHNICAL SCHOOL DISTRICT
BOARD OF EDUCATION

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SANDRA WALLS-CULOTTA
Individually, and in her Official capacity

*

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Defendants

* * * * *

JOINT MOTION TO CONTINUE PRETRIAL CONFERENCE

Pursuant to Delaware Local Rule 16.4, the parties through their undersigned counsel, jointly request a Continuance of the PreTrial Conference and in support thereof offer the following:

1. This is a civil action in which the Plaintiff is asserting claims for violation of the Rehabilitation Act, 29 USC Section 794(d), and wrongful termination. Plaintiff has brought these claims against her former employer and a former supervisor in her individual and official capacity. Plaintiff has requested a jury trial.

2. Pursuant to the Scheduling Order, the parties have completed written discovery, and are now finishing up with depositions.

3. Seven depositions have been taken in this case to date, with five more occurring over the two-day course of August 28 and 29, 2007.

4. The deposition of the Plaintiff is scheduled to occur on August 29, 2007.

5. The PreTrial Conference in this matter is currently scheduled for September 6, 2007 before this Honorable Court.

6. Due to the volume of depositions required, and the scheduling conflicts involved due to the number of parties to this case, counsel were unable to comply with the requirements of Delaware Local Rule 16.3. Specifically, counsel have been unable to meet to discuss and draft a pretrial order, as at this date it is uncertain exactly which witnesses and trial exhibits will be necessary for trial.

7. Furthermore, due to the fact that discovery will continue until at least August 29, 2007, it will be extraordinarily difficult for counsel to timely prepare jury instructions, and special verdict or interrogatories as required by Delaware Local Rule 51.1.

8. Counsel for Plaintiff has spoken with counsel for the Defendant, who agreed that a continuance would be appropriate in this situation.

9. Accordingly, the undersigned counsel request that the pretrial conference be continued for at least sixty days.

10. Pursuant to Rule 16.4, Plaintiff and Defendants have been consulted regarding this request. They will also be mailed copies of this Motion, as represented in the attached certificates.

WHEREFORE, Plaintiff Dorothy Houlihan and Defendants Sussex Technical School District, Sussex Technical School District Board of Education and Sandra Walls-Culotta respectfully request this Honorable Court to grant its Joint Motion to Continue PreTrial Conference to a later date on the Court's docket.

/s/

Brian F. Dolan
Stumpf, Vickers & Sandy, P.A.
8 West Market Street
Georgetown, DE 19947

/s/

Robin R. Cockey
Cockey, Brennan & Maloney, P.C.
313 Lemmon Hill Lane
Salisbury, MD 21801

Attorneys for Plaintiff

/s/

James Yoder, Esquire
White and Williams, LLP
824 North Market Street, Suite 902
Wilmington, Delaware 19801-4938

Attorney for Defendants

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SANDRA WALLS-CULOTTA
Individually, and in her Official capacity

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Defendants

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CERTIFICATE OF SERVICE

I, Brian Dolan, Esquire, do hereby certify that on this 23rd day of August, 2007, a copy of the foregoing Joint Motion to Continue PreTrial Conference was delivered via electronic filing upon:

James Yoder, Esquire
White and Williams, LLP
824 North Market Street, Suite 902
Wilmington, Delaware 19801-4938

/s/

BRIAN F. DOLAN
STUMPF, VICKERS & SANDY, P.A.
8 West Market Street
Georgetown, DE 19947
ROBIN R. COCKEY
COCKEY, BRENNAN & MALONEY, PC
313 Lemmon Hill Lane
Salisbury, MD 21801

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SANDRA WALLS-CULOTTA
Individually, and in her Official capacity

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Defendants

* * * * *

CERTIFICATE OF SERVICE

I, Brian Dolan, Esquire, do hereby certify that on this 23rd day of August, 2007, a copy of the foregoing Joint Motion to Continue PreTrial Conference was delivered via first class mail to:

Dorothy Houlihan
19576 Beaver Dam Road
Lewes, DE 19958

/s/

BRIAN F. DOLAN
STUMPF, VICKERS & SANDY, P.A.
8 West Market Street
Georgetown, DE 19947
ROBIN R. COCKEY
COCKEY, BRENNAN & MALONEY, PC
313 Lemmon Hill Lane
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Individually, and in her Official capacity

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Defendants

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CERTIFICATE OF SERVICE

I, James Yoder, Esquire, do hereby certify that on this 23rd day of August, 2007, a copy of the foregoing Joint Motion to Continue PreTrial Conference was delivered via first class mail to:

Sussex County Vocational-Technical School District
c/o Patrick Savini, Ed.D
Sussex County Vocational Technical School
17090 County Seat Highway
P. O. Box 351
Georgetown, DE 19947

Sussex County Vocational-Technical School District Board of Education
c/o Patrick Savini, Ed.D
Sussex County Vocational Technical School
17090 County Seat Highway
P. O. Box 351
Georgetown, DE 19947

Mrs. Sandy Walls-Culotta, M.Ed.
Senior Director
Applied & Integrated Learning Milton Hershey School
P.O. Box 830
851 Spartan Lane, Copenhaver Center
Hershey, PA 17033-0830

/s/

James Yoder, Esquire
White and Williams, LLP
824 North Market Street, Suite 902
Wilmington, Delaware 19801-4938

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